IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

ORDER

S.B.CIVIL WRIT PETITION NO.3776/1997.

Sardar Singh. **VERSUS** The State of Raj. & Ors.

06.11.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.A.P.Jhanjharia, for the petitioner.
Mr.B.K.Sharma, Deputy Government Advocate.
Mr.Rajesh Kapoor, for the respondents.

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The petitioner in this writ petition has challenged the order (Annexure-1) dated 13.06.1997 issued by the Sub Divisional Magistrate, Behror, District Alwar.

The contention of the learned counsel for the petitioner is that the order has been passed on the administrative side. In the reply, which has been filed by the respondents, it has been submitted that a suit No.131/2001 has already been filed by the petitioner in the court of S.D.O., Behror (Alwar) for declaration of permanent injunction and in which an application for temporary injunction has also been filed. An application for appointment of Receiver, is also reported to have been filed which is pending.

In view of the fact that the proceedings are pending before the competent court in this matter, the order passed on the administrative side (Annexure-1) cannot be sustained as the parties are litigating the matter before the competent court with regard to the land in dispute. The orders passed by the Revenue Court

shall govern the rights of the parties in the matter.

With the above observations, the writ petition stands disposed of. The impugned order dated 13.06.1997 stands quashed and set aside. The stay application stands disposed of.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.